

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In Re: Rannow, Bruce M.

Case No.: BKY 04-44736

Debtor,

Chapter 13 case

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RESPONSE TO MOTION FOR RELIEF FROM STAY

1. A Response is not required to Paragraphs One (1) through five (5).
6. The Debtor has insufficient information to respond to Paragraph 6.
7. The Debtor states that the Installment Sales Contract speaks for itself.
8. The Debtor denies the allegations contained in Paragraph 8. The Debtor filed a Chapter 13 on August 24, 2004, providing for payment to the Movant through his Chapter 13 Plan. Accordingly, no monthly Plan payments are due the Movant directly from the Debtor and no legal basis has been alleged for charging the referenced post petition late charges, fees and costs.

Further answering, the Movant states that the Vehicle at issue has a value of \$27,700.00, however no supporting documentation is provided. The N.A.D.A. Official Used Car Guide did not include a value for the vehicle at the time of filing, and the Debtor scheduled the Vehicle with a value of \$25,000.00. In fact, the October 2004 N.A.D.A. Guide lists the value as far less, at \$18,350.00, adjusted for low mileage. See Exhibit #1 attached.

9. The Debtor denies the allegations contained in Paragraph 9. The Movant has been more than adequately protected by the Chapter 13 Plan provision for payment of \$25,000.00, with payments representing depreciation commencing in the first month, at 6% interest, in accordance with the recent Supreme Court case In re Till, 124 S. Ct. 1951 (2004).
10. The Movant's motion fails to allege grounds to support relief from the automatic stay.
11. The Debtor has insufficient information to respond to the second Paragraph 9. (sic).

WHEREFORE, the Debtor requests that the Court deny the Movant's motion for relief from the automatic stay and grant such other such relief as the Court deems just and equitable.

BY: CURTIS K. WALKER LAW FIRM

Dated: October 6, 2004

/s/ Curtis K. Walker

Curtis K, Walker, Atty Reg #113906  
Thayer A.K. Butler, Atty Reg #200815  
Mary C. Hoben, Atty Reg #335411  
4356 Nicollet Avenue South  
Minneapolis, MN 55409  
(612) 824-4357

Verification. I, Bruce M. Rannow, declare under the penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated:

OCT 1, 2004

Signed:

Bruce M. Rannow  
Bruce M. Rannow

# "EXHIBIT 1"

## DODGE 43

Model No.	M.S.R.P.	Weight	Loan	Retail
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GE

### Mileage Class: II

21	\$21920	3764		
23	22790	3838		
25	21130	3862		
45	24060	3999	13975	18250
24	24295	3991	14425	18775
74	26545	4218		
44	29655	4093	16225	21050
44	32370	4186	17850	22950
		1300	1450	
		325	375	
		500	575	
		225	250	
		600	675	
		300	350	
		200	225	
		650	725	
		350	400	
		100	125	

rd. Annv)  
in SXT)

### Mileage Class: II

38	\$25920	4671		
48	28160	4676	19275	24650
58	31965	4888		
38	28705	4981		
348	30945	4987	20700	26350
358	34255	5045		

		350	400	
		500	575	
		600	675	
		650	725	
		100	125	
		800	800	

### Mileage Class: II

L16*	\$16940	3714		
L16*	17275			
L36*	17785	3714		
L46*	17785	3714		
L12*	19610	3829		
L12*	19680			
L32*	19625	3829		
L42*	19625	3829		
L18*	21880			
L38*	21810	4208		
L48*	21810	4208		

2 FOR ADDITIONAL OPTIONS  
ON - OCTOBER 2004

Trade-In	BODY TYPE	Model No.	M.S.R.P.	Weight	Loan	Retail
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Add 4 Wheel Drive .....  
Add Aluminum/Alloy Wheels (Base) .....  
Add CD Player (Std. SXT) .....  
Add Cruise Control (Std. Quad SXT) .....  
Add Leather Seats .....  
Add Power Door Locks .....  
Add Power Seat .....  
Add Power Windows .....  
Add Theft Recovery System .....  
Add Tilt Steering Wheel (Std. Quad SXT) .....  
Add V8 Engine .....  
Deduct W/out Automatic Trans. ....

\* G as the 1st position of the model # denotes 4WD

### 2004 RAM 1500 PICKUP-1/2 Ton-V8

	Sweptline 61/4' "WS"	A16*	\$18570		
	Sweptline 8' "WS"	A16*	18855		
15300	Sweptline 61/4'	A16*	18970	4542	13775 18000
15400	Sweptline 8'	A16*	19255	4696	13875 18125
	SRT-10 61/4' (V10, 6 Spd.)	A16H	45000	5000	
	Quad Cab 61/4' "WS"	A18*	23080		
	Quad Cab 8' "WS"	A18*	23950		
18725	Quad Cab 61/4'	A18*	23480	4877	16875 21800
18825	Quad Cab 8'	A18*	24350	5070	16950 21900

### Mileage Class: III

### 2004 RAM 2500 PICKUP-3/4 Ton-V8

	Sweptline 8'	A26*	\$23655	5413	
	Quad Cab 61/4'	A28*	26035	5566	
	Quad Cab 8'	A28*	26225		

### Mileage Class: III

### 2004 RAM 3500 PICKUP-1 Ton-V8

	Sweptline 8' DRW 5.7L HEMI	A46D*	\$25540	5919	
	Quad Cab 61/4' SRW TD	A386*	32890	6482	
	Quad 61/4' SRW HO TD	A38C*	34290	6452	
	Quad Cab 8' SRW T-Diesel	A386*	32190	6564	
	Quad Cab 8' SRW HO TD	A38C*	34960	6562	
	Quad 8' DRW 5.7L HEMI	A48D*	28750	6348	
	Quad Cab 8' DRW T-Diesel	A486*	33820	6922	
	Quad Cab 8' DRW HO TD	A48C*	35390	7062	

### Mileage Class: III

### RAM PICKUP OPTIONS

1500	Add Laramie Trim			1500	1675
750	Add SLT Trim			750	850
350	Add Sport Trim			350	400
350	Add Off-Road Pkg.			350	400
3000	Add 4 Wheel Drive			3000	3225
800	Add 5.7L HEMI V8 Eng. (1500)			800	900
	Add 5.9L H.O. T-Diesel Eng. (2500, 3500 Swept)				
	Add 5.9L T-Diesel Eng. (2500, 3500 Swept)				
400	Add Aluminum/Alloy Wheels (Std. SRT-10)			400	450
175	Add Compact Disc Player (Std. SRT-10)			175	200
550	Add Leather Seats (Std. SRT-10)			550	625
650	Add Navigation System			650	725
250	Add Power Seat			250	300
100	Add Theft Recovery System			100	125
775	Deduct V6 Engine			775	775
675	Deduct W/out AT (Ex. SRT-10)			675	675
250	Deduct W/out Cruise Control			250	250

\* U as the 1st position of the model # denotes 4WD

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R  
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S

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I, Rebecca Johnson, declare under the penalty of perjury that on October 6, 2004, I served the annexed Response to Motion for Relief From Stay to each person referenced below and a copy thereof by enclosing the same in an envelope with first class mail postage prepaid and addressed to each as follows:

Jasmine Z. Keller  
Trustee In Bankruptcy  
310 Plymouth Building  
12 South Sixth Street  
Minneapolis, MN 55402

Thomas J. Lallier  
Ruth E. Honkanen  
FOLEY & MANSFIELD, PLLP  
250 Marquette Avenue, Ste 1200  
Minneapolis, MN 55401

U.S. Trustee's Office  
1015 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

TopLine Federal Credit Union  
9353 Jefferson Highway  
Maple Grove, MN 55369

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ORDER

At Minneapolis, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

This matter came before the Court for hearing on Motion for Relief from the Automatic Stay by TopLine Federal Credit Union. Appearances are as noted on record.

IT IS THEREFORE ORDERED:

This Motion for Relief from the Automatic Stay is hereby denied.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of Bankruptcy Court